

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO:

REGINA PERAGINE,

Plaintiff,

vs.

FLORIDA DEPARTMENT OF
TRANSPORTATION,

Defendant.

NOTICE OF REMOVAL

Defendant FLORIDA DEPARTMENT OF TRANSPORTATION (hereinafter, “Defendant”) by and through its undersigned counsel, and pursuant to Fed.R.Civ.P. 81(f) and 28 U.S.C. § 1441 and § 1446, hereby files this Notice of Removal of this cause to the United States District Court for the Southern District of Florida, as follows:

1. On or about March 12, 2025, the Plaintiff filed a Complaint against the above-named Defendant in the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, styled: *Regina Peragine v. Florida Department of Transportation*, Case Number: 24-CA-11680 (AN). *See* Tab 1.

2. According to the Complaint, Plaintiff filed this “lawsuit against the Defendant due to violations of the Florida Civil Rights Act, Codified at Chapter 760, Florida Statutes and 42 U.S.C. § 2000 et. seq.

3. Consequently, this Court has original jurisdiction over the Federal claims pursuant to 28 U.S.C. §§ 1331, 1332 and the action is therefore removable pursuant to 28 U.S.C. § 1441(a) and (b).

4. To the extent Plaintiff is asserting any state claims, the Court also has supplemental jurisdiction under 28 U.S.C. §§ 1367(a) over the claim/s because such is part of the same alleged case or controversy under Article III of the United States Constitution as it is premised upon the same factual allegations along with the federal claims in this pleading.

5. The Notice of Removal has additionally been filed within thirty (30) days after the serving of Plaintiff's Complaint on the Defendant and is therefore timely under 28 U.S.C. § 1446(b).

6. In accordance with 28 U.S.C. § 1446(d), the Defendant has promptly filed a copy of this Notice of Removal with the Clerk of the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida and on all counsel and/or the Plaintiff. *See* Tab 2.

7. In accordance with the removal, all process, pleadings and orders are attached hereto. *See* Composite Tab 3.

8. Venue is proper in this District because the alleged actions took place within this Judicial District.

WHEREFORE, the Defendant respectfully requests that the above-described action pending in the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, be removed to this Court for further proceedings.

Respectfully submitted,

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/s/Christopher J. Whitelock

Christopher J. Whitelock
Florida Bar No. 067539
David Frank
Florida Bar No. 93906

CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2025, I electronically filed the foregoing document with
the Clerk of Court using CM/ECF.

s/Christopher J. Whitelock

CHRISTOPHER J. WHITELOCK

SERVICE LIST

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